

04-18-03

DAC

PATENT
Docket No. 310048-347
Avery No. 2293-US

8

Express Mailing Label No. EL 920452273 US

I hereby certify that this correspondence and the attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee," under 37 C.F.R. §1.10, on April 16, 2003, addressed to: Commissioner for Patents, Box DAC, Washington, D.C. 20231.

Joy Johnson
Joy Johnson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of:

JAY R. AKHAVE, ET AL.

Serial Number: 09/647,752

Filing Date: December 8, 1997

Entitled: CONTROLLED DROPLET-FORMED
LAYERED STRUCTURES

28 APR 2003

International Division

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OFFICE OF PETITIONS

Box DAC
Commissioner for Patents
Washington, D.C. 20231

RENEWED PETITION UNDER 37 CFR 1.137(b)

Sir:

1. A Decision on Petition issued in the above-captioned application on July 23, 2002 dismissing Applicant's Petition without prejudice.

2. Applicant submits the subject Renewed Petition and respectfully petitions that the subject application be revived and the Declarations submitted herewith be entered and accepted.

3. The above-mentioned Petition had an extendible two month response period.

4. The failure to timely file this Renewed Petition was unintentional. Accordingly, a Petition to Revive is filed herewith.

5. In support of this Renewed Petition submitted herewith are (a) a Declaration executed by Inventor Germeraad; (b) a Declaration executed by Inventors Akhave, Reaves,

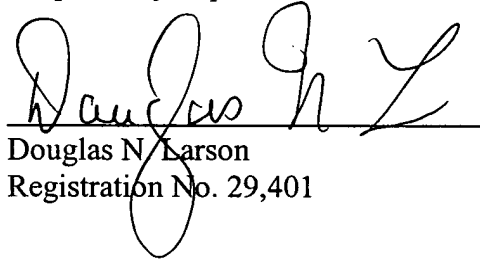
Eckhardt, Licon and Iyer; and (c) a Statement of Facts in Support of Filing on behalf of Nonsigning Inventor (Inventor Popat).

6. I also never received the executed Declaration from Inventor Popat.

7. The Commissioner is hereby authorized to charge any fees associated with this Renewed Petition to our Deposit Account No. 16-2330. A duplicate of this page is attached.

Accordingly, granting of this Renewed Petition and revival of this application at an early date are in order. If there are any remaining issues the Examiner is invited to telephone the undersigned to seek to resolve them.

Respectfully requested,



Douglas N. Larson
Registration No. 29,401

Dated: April 16, 2003


OPPENHEIMER WOLFF & DONNELLY LLP
2029 Century Park East, 38th Floor
Los Angeles, California 90067-3024
Telephone: (310) 788-5000
Facsimile: (310) 788-5100



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LAYERED STRUCTURES)
_____)

Box DAC
Commissioner for Patents
Washington, D.C. 20231
ATTN: Petition Information
Crystal Park One, Suite 520
(M.P.E.P. §1002.02(b), 7th ed.)

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PETITION TO REVIVE BASED ON UNINTENTIONAL ABANDONMENT OF APPLICATION

Sir:

1. This application became abandoned for failure to file a timely Renewed Petition in response to the Decision on Petition dated July 23, 2002.
2. Applicant hereby petitions for revival of this unintentionally abandoned application, and a Renewed Petition is filed herewith.

3. The entire delay in filing the required response from the due date until the filing of this petition was unintentional.

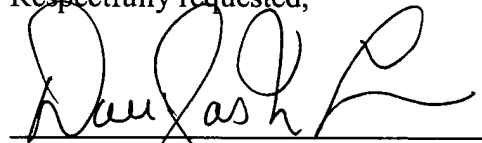
4. Applicant is a large entity as established at filing.

5. We authorize the Commissioner to charge any fees associated with this Petition to our Deposit Account No. 16-2330. A duplicate of this page is attached.

6. Since this application was filed after June 8, 1995, no terminal disclaimer is required.

Accordingly, issuance of an early Decision granting this petition is requested.

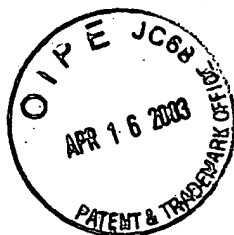
Respectfully requested,



Douglas N. Larson
Registration No. 29,401

Dated: April 16, 2003

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STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NONSIGNING
INVENTOR

Sir:

This statement is made as to the facts relied upon to establish the effort made to secure the execution of the declaration by the nonsigning inventor, Ghanshyam H. Popat, for the above-identified patent application.

(1) I, Sharon Brady, am an Intellectual Property Project Coordinator for the Avery Research Center of the assignee of the above-captioned application, Avery Dennison Corporation.

(2) The following are the inventors of the subject application: Jay R. Akhave, Timothy Ryan Eckhardt, Paul B. Gemeraad, Pradeep S. Iyer, Mark Anthony Licon, Ghanshyam H. Popat and Jessie C. Reaves.

(3) Signed declarations were received from inventors Akhave, Eckhardt, Gemeraad, Iyer, Licon and Reaves.

(4) Inventors Akhave, Eckhardt, Gemeraad, Iyer, Licon and Reaves, who have signed the declarations, have thereby attested to the fact that the non-signing inventor, Ghanshyam H. Popat, was a co-inventor of this application.

SERIAL NO.: 09/647,752

DOCKET NO. 310048-347

(5) Inventor Popat was employed by Avery Dennison Corporation from 8/3/81 through 3/5/98.

(6) I sent a Declaration to Inventor Popat on February 7, 2003 to his last known address at 1233 Tamarisk Avenue, Ridgecrest, California 93555 via Federal Express with a letter instructing him to execute the Declaration and return it in the Federal Express return envelope enclosed therewith. Federal Express advised me that my Federal Express envelope enclosing the Declaration was delivered to that address. Inventor Popat has not returned the executed declaration to me or otherwise communicated with me.

I declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true. I make these statements with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing from the application.

Respectfully submitted,

Dated: April 16, 2003

Sharon E. Brady
SHARON BRADY